

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

<p>SILVERTOP ASSOCIATES, INC., D/B/A RASTA IMPOSTA,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>KANGAROO MANUFACTURING, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. 1:17-cv-07919-NLH-KMW</p>
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DECLARATION OF TINA BERMAN

I, Tina Berman, of full age, declare:

1. I am a business partner at plaintiff Silvertop Associates, Inc., d/b/a Rasta Imposta (“Rasta Imposta”). I am also married to its CEO, Robert Berman. This declaration is based on my personal knowledge.

2. I own a retail store in New Jersey called The Mod Hatter. Its only location is at 1103 North Bay Avenue, Beach Haven, NJ, 08008.

3. In January 2016, I stopped at a tradeshow booth thinking it was Big Mouth Inc. (a company that makes pool floats). I thought I might order some for the store. After speaking to a salesperson I realized that it was a different company, but so many of the styles looked like Big Mouth. I left a Mod Hatter business card so they could send me a catalog. I had never heard of Kangaroo before.

4. About a month later I received a call from a Kangaroo sales person. I receive Mod Hatter calls in the off season at the Rasta Imposta number. The sales person realized the connection to Rasta and started asking me questions. I made it clear that The Mod Hatter was a

separate business and I told him to touch base with me closer to my season (summer). I still did not know anything about Kangaroo or its owners.

5. In June 2017, I received the attached email solicitation from Mark Behar at Kangaroo Manufacturing. Mr. Behar attempted to persuade me to order pool floats and stated: "The season just got going here a[t] the East Coast and our floats are in huge demand", and attached Kangaroo's product catalogue.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 16, 2018



Tina Berman

From: Mark Behar [<mailto:markb@kangaroomfg.com>]
Sent: Thursday, June 15, 2017 10:53 AM
To: tina@thomodhatter.com
Subject: Kangaroo Fun Stuff

Hello Tina,

I hope this email finds you well. There is still time to order our incredible pool floats. The season just got going here are the East Coast and our floats are in huge demand. The pool float craze is amazing. I believe you will do exceptionally well with our line. We are the fastest growing company in the industry and have been featured on numerous television shows and are all over social media. We have floats that no one else in the industry makes. I am attaching our most recent catalog. I can offer you a very deep discount. A deep discount and incredible demand makes this a complete must have. Please let me know if you have any questions or comments. I look forward to hearing from you.

Regards Mark

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Mark Behar
Account Manager
Cell 646 592-3977
Office 646 225-6626

